EXHIBIT A

Order No: 2005
NYSID No: ____________

at the Courthouse at 17 Tucker Drive, Poughkeepsie ________, State of New York

ORDER OF PROTECTION

Family Offenses - C.P.L. 530.12
Other Domestic Violence Crimes - C.P.L. 530.13[1]

PRESENT: Hon. JUDGE PAUL BANNER

☐ Youthful Offender (check if applicable)

PEOPLE OF THE STATE OF NEW YORK

Part: 1 ________ Index/Docket No: ____________
Indictment No., if any: ____________
Charges: ____________

against

☐ Ex Parte
☒ Defendant Present In Court
(check one)

Petitioner's copy

BRIAN S. FRALEIGH, Defendant
Date of Birth: 7/22/63

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL YOU REAPPEAR IN COURT.

☒ TEMPORARY ORDER OF PROTECTION - Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of: ☐ recognizance ☐ release on bail ☐ adjournment in contemplation of dismissal]
☐ ORDER OF PROTECTION - Whereas defendant has been convicted of [specify crime or violation]: ____________

And the Court having made a determination in accordance with section 530.12 or 530.13 of the Criminal Procedure Law, IT IS HEREBY ORDERED that the above-named defendant observe the following conditions of behavior: [Check applicable paragraphs and subparagraphs]:

[01] ☒ Stay away from [A] ☒ [name(s) of protected person(s) or witness(es)]: Donna Fraleigh and/or from the [B] ☒ home of Donna Fraleigh; [C] ☐ school of ____________ [D] ☐ business of ____________, [E] ☒ place of employment of Donna Fraleigh,
[F] REMAIN 500 FEET AWAY FROM: Donna Fraleigh

[14] ☒ Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other means with [specify protected person(s)]: Donna Fraleigh

[02] ☒ Refrain from assault, stalking, harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats, or any criminal offense against [specify name(s) of protected person(s), members of protected person's family or household, or person(s) with custody of child(ren)]: Donna Fraleigh;

[11] ☒ Permit [specify individual]: Brian Fraleigh to enter the residence at [specify]: 350 Van Wagner Rd during [specify date/time]: 9-5:00pm with [specify law enforcement agency, if any]: Town of Poughkeepsie to remove personal belongings not in issue in litigation [specify items]: personal Belongings;

[04] ☒ Refrain from [indicate acts]: NO contact with children that create an unreasonable risk to the health, safety, or welfare of [specify child(ren), family or household member]: Ryan Fraleigh 10/25/87, Corey Fraleigh 3/5/83, Whitney Fraleigh 3/9/93;

[05] ☐ Permit [specify individual(s)]: ____________ entitled by a court order or separation or other written agreement, to visit with [specify child(ren)]: ____________ during the following periods of time [specify]: ____________, under the following terms and conditions [specify]: ____________;

[12] ☐ Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following ____________. Such surrender shall take place immediately, but in no event later than [specify date/time]: ________ at: ____________.

[99] ☐ Specify other conditions defendant must observe: ____________;

IT IS FURTHER ORDERED that the above-named Defendant's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00, is hereby [13A] ☐ suspended or [13B] ☐ revoked (note: final order only), and/or [13C] ☐ the Defendant shall remain ineligible to receive a firearm license during the period of this order. (Check all applicable boxes).

IT IS FURTHER ORDERED that this order of protection shall remain in effect until 3-26-05 (specify date)

DATED: 9-26-04

[signature]
JUDGE / JUSTICE
Court (Court Seal)

XX☐ Defendant advised in Court of issuance of Order
Received by Defendant *[signature]*
(Defendant's signature)

XX☐ Service Executed Date: ________ Time: ________ ☐ Warrant Issued for Defendant

The Criminal Procedure Law provides that presentation of a copy of this order of protection to any police officer or peace officer actin[g] pursuant to his or her special duties shall authorize and in some situations may require, such officer to arrest a defendant who is alleged t[o] have violated its terms and to bring him or her before the Court to face whatever penalties may be imposed therefor.

Federal law provides that this order must be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if it is established that the person against whom the order is sou[ght] has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 USC §§2265, 2266).

It is a federal offense to: cross state lines to violate an order of protection; cross state lines to engage in stalking, harassment or domest[ic] violence against an intimate partner or family member; possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other fire[arm] or ammunition following a conviction of a domestic violence misdemeanor involving the use or attempted use of physical force or a dea[dly] weapon; or (except for military or law enforcement officers while on duty) possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firearm or ammunition while an order of protection, issued after notice and an opportunity to be heard, that protects an intimate partner against assault, harassment, threatening and/or stalking, remains in effect (18 USC§§922(g)(8,9), 2261, 2261A, 2262).

[1] Use this form for orders of protection, issued to protect victims of domestic violence as defined in ... the statewide registry of orders of protection [Exec L §221-a]

THIS ORDER SUPERCEDES ORDERR DATED 11/29/04.

Criminal Form 1 10/02

ORI No: NY013281J
Order No: XXXXXX2005-B09881
NYSID No: ______

At a term of the Town of Poughkeepsie Court, County of Dutchess, at the Courthouse at 17 Tucker Drive, Poughkeepsie, State of New York

ORDER OF PROTECTION
Family Offenses - C.P.L. 530.12
Other Domestic Violence Crimes - C.P.L. 530.13[1]

PRESENT: Hon. PAUL L. BANNER

☐ Youthful Offender (check if applicable)

PEOPLE OF THE STATE OF NEW YORK

Part: 1 Index/Docket No: 04-09-0881C
Indictment No., if any: ______
Charges: PL 120.20, Reckless End 2nd

against

BRIAN S FRALEIGH, Defendant

☐ Ex Parte
XX Defendant Present In Court
(check one)

Date of Birth: 7/22/63

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL YOU REAPPEAR IN COURT.

☐ TEMPORARY ORDER OF PROTECTION - Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of: ☐ recognizance ☐ release on bail ☐ adjournment in contemplation of dismissal]

XX ORDER OF PROTECTION - Whereas defendant has been convicted of [specify crime or violation]: Reckless End 2nd

And the Court having made a determination in accordance with section 530.12 or 530.13 of the Criminal Procedure Law, IT IS HEREBY ORDERED that the above-named defendant observe the following conditions of behavior:

[Check applicable paragraphs and subparagraphs]:

[01] XX Stay away from [A] XX [name(s) of protected person(s) or witness(es)]: Donna Fraleigh and/or from the [B] XX home of Donna Fraleigh, [C] XX school of Donna Fraleigh, [D] XX business of Donna Fraleigh, [E] XX place of employment of Donna Fraleigh, [F] XX REMAIN 500 FEET AWAY FROM Donna Fraleigh

[14] XX Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other means with [specify protected person(s)]: Donna Fraleigh;

[02] XX Refrain from assault, stalking, harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats, or any criminal offense against [specify name(s) of protected person(s), members of protected person's family or household, or person(s) with custody of child(ren)]: Donna Fraleigh;

[11] ☐ Permit [specify individual]: ______ to enter the residence at [specify]: ______ during [specify date/time]: ______ with [specify law enforcement agency, if any]: ______ to remove personal belongings not in issue in litigation [specify items]: ______;

[04] ☐ Refrain from [indicate acts]: ______ that create an unreasonable risk to the health, safety, or welfare of [specify child(ren), family or household member]: ______;

[05] ☐ Permit [specify individual(s)]: ______, entitled by a court order or separation or other written agreement, to visit with [specify child(ren)]: ______ during the following periods of time [specify]: ______, under the following terms and conditions [specify]: ______;

[12] XX Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following NO [illegible]. Such surrender shall take place immediately, but in no event later than [specify date/time]: ______ at: ______;

[99] ☐ Specify other conditions defendant must observe: SUBJECT TO FAMILY [illegible] ORDER;

IT IS FURTHER ORDERED that the above-named Defendant's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00, is hereby [13A] ☐ suspended or [13B] XX revoked (note: final order only), and/or [13C] XX the Defendant shall remain ineligible to receive a firearm license during the period of this order. (Check all applicable boxes).

IT IS FURTHER ORDERED that this order of protection shall remain in effect until XXXXXX XXXXXX XXXXXXXXX (specify date) 5/9/05

DATED: XXXXXXX XXXXXX XXXXXX 5/9/05

JUDGE / JUSTICE
Court (Court Seal)

XX☐ Defendant advised in Court of issuance of Order.
Received by Defendant ______ (Defendant's signature)

XX☐ Service Executed Date: 5/9/[illegible] Time: [illegible] ☐ Warrant issued for Defendant

The Criminal Procedure Law provides that presentation of a copy of this order of protection to any police officer or peace officer actin pursuant to his or her special duties shall authorize and in some situations may require, such officer to arrest a defendant who is alleged tc have violated its terms and to bring him or her before the Court to face whatever penalties may be imposed therefor.

Federal law provides that this order must be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if it is established that the person against whom the order is sou has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 USC §§2265, 2266).

It is a federal offense to: cross state lines to violate an order of protection; cross state lines to engage in stalking, harassment or domest violence against an intimate partner or family member; possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firea or ammunition following a conviction of a domestic violence misdemeanor involving the use or attempted use of physical force or a dea weapon; or (except for military or law enforcement officers while on duty) possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firearm or ammunition while an order of protection, issued after notice and an opportunity to be heard, that protects an intimate partner against assault, harassment, threatening and/or stalking, remains in effect (18 USC§§922(g)(8,9), 2261, 2261A, 2262).

[1] Use this form for orders of protection, issued to protect victims of domestic violence as defined in

Local Codes 2004-420864
DMV #28

New York State Department of Motor Vehicles
POLICE ACCIDENT REPORT
MV-104A (7/01)

☐ AMENDED REPORT POLICE COPY 1

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photo
09	25	04	SA	2144	1	2	0	☐ / ☐	☐	☒ Yes ☐ No

VEHICLE 1
Field	Value
VEHICLE 1 - Driver License ID Number	415959925
State of Lic.	NY
Driver Name - exactly as printed on license	FRALEIGH, BRIAN S
Address (Include Number & Street)	350 VANWAGNER RD
Apt. No.	
City or Town	POUGHKEEPSIE
State	NY
Zip Code	12603
Date of Birth (Month / Day / Year)	07 / 22 / 63
Sex	M
Unlicensed	☐
No. of Occupants	2
Public Property Damaged	☐
Name - exactly as printed on registration	FRALEIGH, BRIAN S.
Sex	M
Date of Birth (Month / Day / Year)	
Address (Include Number & Street)	352 VANWAGNER RD
Apt. No.	
Haz. Mat Code	
Released	☐
City or Town	POUGHKEEPSIE
State	NY
Zip Code	
Plate Number	BEE7717
State of Reg.	NY
Vehicle Year & Make	00 NISSAN
Vehicle Type	SW
Ins. Code	240
Ticket/Arrest Number(s)	LT 876497-6 LT 876496-5
Violation Section(s)	1212 RECKLESS DRIVING 1128A MOVE FROM LANE UNSAFE

☐ VEHICLE 2 ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN
VEHICLE 2 - Driver License ID Number; State of Lic.; Driver Name - exactly as printed on license; Address (Include Number & Street); Apt. No.; City or Town; State; Zip Code; Date of Birth (Month / Day / Year); Sex; Unlicensed ☐; No. of Occupants; Public Property Damaged ☐; Name–exactly as printed on registration; Sex; Date of Birth (Month / Day / Year); Address (Include Number & Street); Apt. No.; Haz. Mat. Code; Released ☐; City or Town; State; Zip Code; Plate Number; State of Reg.; Vehicle Year & Make; Vehicle Type; Ins. Code; Ticket/Arrest Number(s); Violation Section(s) — (crossed out, blank)

VEHICLE 1
Check if involved vehicle is:
- ☐ more than 95 inches wide;
- ☐ more than 34 feet long;
- ☐ operated with an overweight permit;
- ☐ operated with an overdimension permit.

VEHICLE 1 DAMAGE CODES
- Box 1 - Point of Impact: 3
- Box 2 - Most Damage: 3
- Enter up to three more Damage Codes: 3: 2, 4: 4, 5: –

Vehicle Towed: By COUNTY WIDE To TPPD IMPOUND LOT

VEHICLE 2
Check if involved vehicle is:
- ☐ more than 95 inches wide;
- ☐ more than 34 feet long;
- ☐ operated with an overweight permit;
- ☐ operated with an overdimension permit.

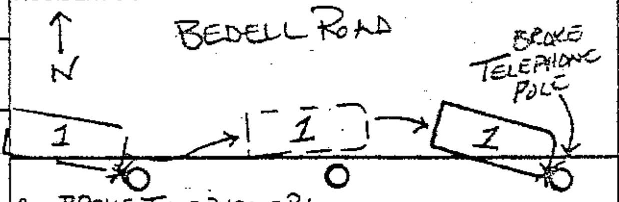
VEHICLE 2 DAMAGE CODES
- Box 1 - Point of Impact
- Box 2 - Most Damage
- Enter up to three more Damage Codes

Vehicle Towed: By To

VEHICLE DAMAGE CODING:
1-13. SEE DIAGRAM ON RIGHT.
14. UNDERCARRIAGE 17. DEMOLISHED
15. TRAILER 18. NO DAMAGE
16. OVERTURNED 19. OTHER

Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.
1. Rear End 2. Overtaking 3. Left Turn 0. Left Turn 4. Right Angle 5. Right Turn 6. Right Turn 7. Head On 8. Sideswipe

ACCIDENT DIAGRAM



9. BROKE TELEPHONE Pole

Cost of repairs to any one vehicle will be more than $1000. ☐ Unknown/Unable to Determine ☒ Yes ☐ No

Reference Marker
Coordinates (if available) Latitude/Northing: Longitude/Easting:

Place Where Accident Occurred:
County DUTCHESS ☐ City ☐ Village ☒ Town of POUGHKEEPSIE
Road on which accident occurred BEDELL RD (Route Number or Street Name)
at 1) intersecting street (Route Number or Street Name)
or 2) .25 Feet Miles ☐ N ☐ E ☐ S ☒ W of VANWAGNER ROAD (Milepost, Nearest Intersecting Route Number or Street Name)

Accident Description/Officer's Notes: DRIVER #1 WAS OPERATING VEHICLE #1 ON BEDELL RD. TRAVELLING EASTBOUND WHEN HE STRUCK TWO TELEPHONE POLES ON THE RIGHT SHOULDER OF THE ROADWAY. DRIVER #1 STRUCK SAID POLES IN AN ATTEMPT TO INJURE OR FRIGHTEN HIS PASSENGER.

ALL INVOLVED	8	9	10	11	12	13	14	15	16	17	BY	TO	18	Names of all involved	Date of Death Only
A	1	1	4	1		M	17	4	6		–		–	FRALEIGH, BRIAN S.	
B	1	2	4	1		M	1	10	6		–		–	FRALEIGH, DONNA M	
C															
D															
E															
F															

Officer's Rank and Signature / Print Name in Full	Badge/ID No	NCIC No.	Precinct/Post Troop/Zone	Station/Beat/Sector	Reviewing Officer	Date/Time Reviewed
D. HONKALA	113	01363	5	Z	#313	9/25/04 11:3

Right margin: 3, 1, 2, 1, 11, N